

**Homeland Security:
Surveillance and monitoring of Explosive Storage Facilities
Monday, October 31, 2005
San Mateo, California**

Testimony of Sheriff Don Horslev

I want to thank the members of the Subcommittee on National Security, Emerging Threats, and International Relations for again taking a leadership role on this important issue and for your willingness to work with local and state law enforcement on developing National Standards for Storage Facilities.

It has been over a year since my initial testimony before this Subcommittee and my staff has been hard at work to improve the effectiveness of our Bomb Squad and rectify the conditions which lead up to the July 2004 burglary of our shared storage facility located on the City and County of San Francisco Watershed Property, located in Unincorporated San Mateo County.

Following the burglary, I conducted a thorough internal review of our Bomb Squad to determine its operational status, training needs, management oversight and feasibility of a new storage site in San Mateo County.

At the time of the burglary, our Bomb Squad had only two certified Bomb Technicians. The San Mateo County Sheriff's Office has since received its federal certification and has added three more Bomb Technicians to the squad. In addition, I have mandated that my management staff who has responsibility for oversight of the Bomb Squad attend the Hazardous Devices School (HDS), Executive Management Course located at the Redstone Arsenal in Alabama. This course is designed to provide managers who don't have the technical knowledge of explosives to effectively manage a Bomb Squad to ensure proper oversight and accountability.

Since the last public hearing on the subject, I have been successful in obtaining Homeland Security funding for much needed equipment, such as a response vehicle, state-of-the-art robot and various other mitigation tools/safety equipment that was lacking for our Bomb Squad. Unfortunately, continued funding is never guaranteed and we would welcome any financial assistance the federal government can provide to address this important issue.

As of today's date, we have been unsuccessful in finding a suitable site in San Mateo County for storage and mitigation. However, within the next 60 days, we will be making a presentation to a City Council in San Mateo County, with hopes of using a site within their city limits that meets both our requirements, and that of the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE).

We are currently in the process of securing a temporary agreement with another law enforcement agency that meets BATFE guidelines within the San Francisco Bay Area to store our explosives. I have personally seen this storage site, reviewed their security and feel that it is suitable for our needs while we continue to search for a permanent site in San Mateo County.

The Sheriff's Bomb Squad receives/responds to approximately 200 calls per year. When we collect explosive evidence, we render it safe, photograph the evidence, document our findings and dispose of it immediately, either on-site or at a predetermined location. On certain occasions when the explosive device is rendered safe and disassembled, a small representative sample of the incendiary powder is kept as evidence to authenticate the device. At this time, we are not storing any explosive evidence. Without a storage/training facility of our own, we must travel out of County, which reduces our response time to bomb callouts, increases staff costs (overtime) and creates another link in the chain of custody for those cases in which explosive evidence must be maintained.

Sheriff's Bomb Technicians currently provide expert testimony from the evidence that is collected and/or tested to authenticate any type of explosive device for all law enforcement agencies in San Mateo County. They do so from evidence that has been collected in either a pre- or post-blast crime scene. Since we do not currently have explosives to train with, we have been doing explosive training with other local Bomb Squads and enrolling in explosive training courses provided by both the Federal Bureau of Investigation and the Hazardous Device School. Some of this training could be done in house which would reduce costs to the Sheriff's Office, and at the same time ensure that our Bomb Technicians meet the minimum monthly and yearly federal training requirements.

As we move forward in planning to secure a new explosive storage site, the main affect on our agency is the inability to store explosives, explosive evidence and to assist local in-county law enforcement agencies with collecting and storing confiscated illegal fireworks. These fireworks are handled the same as high explosives that need to be held for pending court proceedings and/or to be destroyed. These agencies have had to take over responsibility and make arrangements to store their own illegal fireworks which present many officer and public safety issues. The Bomb Squad has recommended that these agencies photograph their illegal fireworks and when they are finished with the court proceedings, we will mitigate the illegal fireworks by appointment only. We have also provided many of these agencies with the fireworks seizure forms that are drafted by the California State Fire Marshall's Office. These forms allow the State Fire Marshall to

seize these fireworks for the purpose of destroying them. Unfortunately, the response time for the State Fire Marshall's Office may be extended due to other calls for service.

That concludes my comments. I would like to again thank the committee for your interest in this issue and for your work in helping to develop national Standards for Explosive Storage Facilities.